

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

This Document Relates to:

IN RE ELECTRONIC BOOKS  
ANTITRUST LITIGATION

No. 11-md-02293 (DLC)  
ECF Case

THE STATE OF TEXAS, et al.,  
  
Plaintiffs,  
  
v.  
  
PENGUIN GROUP (USA) INC., et al.,  
  
Defendants.

Civil Action  
No. 12-cv-03394

IN RE ELECTRONIC BOOKS ANTITRUST  
LITIGATION

No. 11-md-02293 (DLC)  
ECF Case

This Document Relates to:  
  
ALL ACTIONS

CLASS ACTION

**[PROPOSED] ORDER GRANTING PLAINTIFFS’  
MOTION FOR APPROVAL OF PLAN FOR CLASS NOTICE**

Plaintiffs’ Motion for Approval of Plan for Notice (“Motion”) having come before the Court, the Court having reviewed all of the pleadings related to same, and being fully advised in the premises, IT IS HEREBY ORDERED that:

Plaintiffs’ Motion is GRANTED.

Notice shall be served upon the eligible consumers residing in Plaintiff States and upon Class members in the manner described in Plaintiffs' Motion within thirty (30) days of this Order. The service of Notice shall be accomplished as follows:

- (a) An email in the form proposed in Plaintiffs' Motion shall be sent by Amazon, Barnes and Noble, Google, and Kobo to inform their Eligible Consumers of their rights and how they may participate in the Lawsuits.
- (b) An email in the form proposed in Plaintiffs' Motion shall be sent by Rust, or a vendor contracted by Rust, on behalf of Apple and Sony to inform Apple and Sony's Eligible Consumers of their rights and how they may participate in the Lawsuits.
- (c) Postcards in the form proposed in Plaintiffs' Motion shall be sent to Eligible Consumers for whom a correct email address could not be discovered in the Previous Settlements.

SO ORDERED:

DATED: \_\_\_\_\_

\_\_\_\_\_  
THE HONORABLE DENISE COTE  
UNITED STATES DISTRICT JUDGE

Submitted by:

Dated: March 28, 2014

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